IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

CRP.No. 251 of 2007

OPELE.9/2003 of ADDL.DISTRICT COURT (ADHOC)-II, ERNAKULAM

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REVN. PETITIONER/RESPONDENT IN O.P:

THE KERALA STATE ELECTRICITY BOARD,
REP. BY ITS SECRETARY, VAIDYUTHI
BHAVANAM, THIRUVANANTHAPURAM.

BY ADV. SRI.K.S.ANIL, SC, KSEB

RESPONDENT/PETITIONER IN O.P:

MS.VALSALA MOHAN, W/O.RATNA MOHAN,
'CLEARLINE', CHANKRAMATH HOUSE,
THEKKUMBHAGOM, TRIPUNITHURA P.O.,
ERNAKULAM.

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 21/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P. Balachandran, J.

C.M.Appl.No. 314 of 2007 &

C.R.P.No. 251 of 2007

ORDER

C.M.Appl.No.314/07

This is an application seeking for condonation of delay of 371 days in filing the civil revision petition. Certified copy of the impugned order, which is produced, shows that the order was passed on 30.9.2004; that copy application was made on 15.10.2004 and that copy was received on 1.3.2005, though the day fixed for appearance of the parties to receive the copy was 17.12.2004. The explanation for the delay stated in the affidavit, filed in support of the C.M.Application, is as follows:

> "Thereafter the counsel appearing for the KSE Board before the court below sent the certified copy along with his opinion to file revision petition against the above Election O.P. to the KSE Board. The Board accorded sanction for filing the revision.

> In the meanwhile, there was some delay in transmitting the copies of the lower court records and hence, there occurred some delay in filing the above revision petition. The delay is due to administrative reasons."

There is absolutely no mention as to when the information from the counsel was received by the Board; when the Board took a decision to file the revision; when it was communicated to the counsel and when the file was received by the counsel and as to why there was a delay of three months to receive the copy of order, despite, date was fixed to receive the copy. Without mentioning any of those details, it is simply stated that the delay is due to administrative reasons. Such an explanation is quite unsatisfactory to condone the delay of 371 days in filing the revision.

In the result, refusing to condone the delay, I dismiss this C.M. Application.

C.R.P.No.251/07

C.M.Appl.No.314/07 filed seeking for condonation of delay of 371 days in filing the revision petition is dismissed. Consequently, this revision, filed far out of time, is not maintainable and is dismissed.

21st March, 2007 (K.P.Balachandran, Judge)

tkv